

REMARKS

Applicant thanks Examiner for the detailed review of the application.

Claim Rejections -35 USC § 103(a)

The Office Action has rejected Claims 1-3 and 5-32 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,437,052 to Iwasa et al. (referred to hereinafter as “Iwasa”) in view of EP 1126322 to Harada et al. (herein referred to as “Harada”).

“The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness.” MPEP § 2142. It is well established that *prima facie* obviousness is only established when three basic criteria are met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991) (MPEP 2144). The Office Action has failed to meet one or more of these requirements.

First, a combination of two hydroxyls connected to adjacent, i.e. acyclical carbon atoms, teaches away an essential element of Iwasa. Specifically, Iwasa states at col. 9 lines 63-67, “and an alicyclic group having a carboxyl group works to increase the dissolving speed to the developer for a negative photoresist. Crosslinked cyclic hydrocarbon works to improve the dry etching resistance.” Therefore, use of Harada’s formula (5), which The Office Action cites to be analogous to applicant’s “hydroxyl groups bonded to adjacent acyclical carbon atoms,” (claim 1), teaches away from Iwasa’s explicit and exclusive usage of an alicyclic group to provide for the aforementioned potential advantages. Claim 11 and 30 include similar “acyclical carbon atoms.”

Furthermore, Harada is directed to a chemical amplification, positive resist composition (see

paragraph 0009), while Iwasa is directed at a negative tone photoresist (see abstract line 1). In other words, the polymers and monomers described in Harada is directed at being more soluble in response to exposure to light, while the polymers and monomers disclosed in Iwasa are directed at being less soluble in response to light.

Therefore, there applicant respectfully submits that there is no suggestion or motivation to combine monomers from an opposite field of photo lithography with Iwasa. As a result, applicant respectfully submits that claim 1-3, 5-14, 16-21, and 23-32 are now in condition for allowance.

If there are any additional charges, please charge Deposit Account No. 50-0221. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact David P. McAbee at (503) 712-4988.

Respectfully submitted,
Intel Corporation

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